

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

GREG ALAN GRAY,

Petitioner,

v.

THE UNITED STATES,

Respondent.

Case No. CR05-5154 RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendant's "Motion Requesting Presentence Jail Credits Based on Time Held on a Detainer Awaiting Transfer" [Dkt. #24].

Having considered the entirety of the records and file herein, the Court rules as follows:

Defendant seeks credit for time served prior to appearing in this Court. Because he is challenging the calculation of his sentence and he is not incarcerated in this district, this Court is without jurisdiction to hear this matter. *See United States v. Espinoza*, 866 F.2d 1067, 1071 (9<sup>th</sup> Cir. 1988). His motion should be filed in the district court for the district he is imprisoned. Therefore, it is hereby

**ORDERED** that Defendant's Motion [Dkt. #24] is **DISMISSED**.

The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing pro se.

Dated this 27<sup>th</sup> day of June, 2006.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE